

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

ISRAEL GARCIA JR., et al.,)	
)	
Plaintiffs,)	
vs.)	No. 3:11-CV-3171-N-BH
)	
JENKINS/BABB LLP, et al.,)	
)	
Defendants.)	Referred to U.S. Magistrate Judge

ORDER

Pursuant to *Special Order No. 3-251*, this case has been automatically referred for pretrial management, including the determination of non-dispositive motions and the issuance of findings, conclusions, and recommendations on dispositive motions. Before the Court is *Defendant's Motion to Strike Second Amended Complaint Filed at Docket No. 23*, filed January 24, 2011 (doc. 24). Based on the relevant filings and applicable law, the motion is **GRANTED**.

Rule 15(a) of the Federal Rules of Civil Procedure provides that a party may amend its pleading *once* as a matter of course within 21 days of serving the pleading or being served with a responsive pleading or a motion under Rule 12(b), (e), or (f). Plaintiffs filed their first amended complaint on December 8, 2011. (See doc. 6.) Because Plaintiffs have already amended their pleading once as a matter of course, leave of Court to file a second amended complaint is required where the opposing party does not consent. *See* Fed. R. Civ. P. 15(a)(2). Plaintiffs' second amended complaint is therefore ordered **STRICKEN** from the record.

SO ORDERED on this 25th day of January, 2012.


IRMA CARRILLO RAMIREZ
UNITED STATES MAGISTRATE JUDGE